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Applicant(s): Yuki ABE et al

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PRELIMINARY AMENDMENT FILED CONCOMITANT WITH APPLICATION

Assistant Commissioner for Patents

S I R :

Please amend the application as follows.

IN THE CLAIMS:

Please enter the following amended claims 23, 26, 29, 35, 40, 43, 44, 45, 50 and 52.

23. (Amended) A polynucleotide capable of hybridizing under stringent conditions with a polynucleotide according to claim 1.

26. (Amended) A vector comprising a polynucleotide according to claim 1.

29. (Amended) A host cell transformed by a vector according to claim 26 or 27.

35. (Amended) A polypeptide encoded by a polynucleotide according to claim 1.

40. (Amended) A method for producing ML-236B, comprising culturing a host cell according to claim 29 and then recovering ML-236B from the culture.

43. (Amended) A method according to claim 40, wherein production occurs in the absence of recombinant *mlc*A, B, C or D corresponding to SEQ ID NO 44, 46, 48 or 50.

44. (Amended) ML-236B produced by the method of claim 40.

45. (Amended) A method of manufacturing pravastatin, which comprises carrying out a method according to claim 40 and converting the ML-236B to pravastatin.

50. (Amended) A vector comprising a polynucleotide according to claim 47 or 48.

52. (Amended) A polypeptide encoded by a polynucleotide according to claim 47 or 48.

REMARKS

The present amendment revises original claims which were improper multiple dependent claims into a non-multiple dependent claim or a proper multiple dependent claim. Entry is solicited.

Enclosed is a copy of the original claim pages containing claims 23-53 with the changes to the amended claims marked thereon.

Respectfully submitted,

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having similar function.

23. A polynucleotide capable of hybridizing under stringent conditions with a polynucleotide according to [any preceding] claim 1.

24. A polynucleotide according to claim 23 that is suitable for accelerating the biosynthesis of ML-236B in an ML-236B producing micro-organism when introduced in the ML-236B producing micro-organism.

25. A polynucleotide according to claim 23 or 24 which is RNA.

26. A vector comprising a polynucleotide according to [any preceding] claim 1.

27. A vector according to claim 26 obtainable from *Escherichia coli* pSAKexpE SANK 72499 (FERM BP-7005) or *Escherichia coli* pSAKexpR SANK 72599 (FERM BP-7006).

28. A vector according to claim 26 or 27 which is an expression vector.

29. A host cell transformed by a vector according to [any of claims] [claim] 26 [to 28] or 27.

30. A host cell according to claim 29 characterized in that it is an ML-236B producing micro-organism.

31. A host cell according to claim 30 characterized in that it is *Penicillium citrinum*.

32. A host cell according to claim 29 characterized in that it is *Escherichia coli*.

33. A host cell according to claim 32 characterized in that it is *Escherichia coli* pSAKexpE SANK 72499 (FERM BP-7005).

34. A host cell according to claim 32 characterized in that it is *Escherichia coli* pSAKexpR SANK 72599 (FERM BP-7006).

35. A polypeptide encoded by a polynucleotide according to any of claims 1 to 25 claim 1.

36. A polypeptide comprising the sequence of SEQ ID NO 38, or a variant thereof which has at least 80% identity to SEQ ID NO 38 and which is capable of accelerating ML236B production in an ML236B producing organism.

37. A polypeptide according to claim 36, having the sequence of SEQ ID NO 38.

38. A polypeptide comprising the sequence of SEQ ID NO 42, or a variant thereof which has at least 80% identity with SEQ ID NO 42 and which is capable of accelerating ML236B production in an ML236B producing organism.

39. A polypeptide according to claim 38, having the sequence of SEQ ID NO 42.

40. A method for producing ML-236B, comprising culturing a host cell according to any of claims 29 to 31 claim 29 and then recovering ML-236B from the culture.

41. A method according to claim 40, wherein the host cell is transformed with a vector comprising SEQ ID NO 37 or SEQ ID NO 41.

42. A method according to claim 41, wherein the vector comprises no additional genes.

43. A method according to any of claims 40 to 42 claim 40, wherein production occurs in the absence of recombinant *mlc*A, B, C or D corresponding to SEQ ID NO 44, 46, 48 or 50.

44. ML-236B produced by the method of any of claims 40 to 43 claim 40.

45. A method of manufacturing pravastatin, which comprises carrying out a method according to any of claims 40 to 43 claim 40 and converting the ML-236B to pravastatin.

46. An antibody reactive with the protein of SEQ ID NO 38 or SEQ ID NO 42.

47. A polynucleotide encoding a protein having the amino acid sequence selected from SEQ ID NO 44, 46, 48 or 50 or a variant polynucleotide encoding a modification of said amino acid sequence having a deletion, substitution, addition or alteration, said variant being suitable for use in accelerating the biosynthesis of ML-236B.

48. A polynucleotide according to claim 47 selected from the group consisting of SEQ ID NO 43, 45, 47 or 49.

49. A polynucleotide according to claim 47 or 48, said polynucleotide being capable of accelerating the biosynthesis of ML-236B alone or in conjunction with the polynucleotide of SEQ ID NO 37 or SEQ ID NO 41.

50. A vector comprising a polynucleotide according to ~~any~~ claim 47 or 48 of claims 47 to 49.

51. A host cell comprising a vector according to claim 50.

52. A polypeptide encoded by a polynucleotide according to ~~any~~ claim 47 or 48 of claims 47 to 49.

53. A method for the production of ML236B comprising culturing a host cell according to claim 51 and then recovering ML-236B from the culture.